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Attorneys for Defendant, Counter-Plaintiff

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|  |                        |
|--|------------------------|
|  | X                      |
| CLARENDON NATIONAL INSURANCE           | :                      |
| COMPANY and CLARENDON AMERICA          | :                      |
| INSURANCE COMPANY,                     | :                      |
|  | :                      |
| <i>Plaintiffs,</i>                     | :                      |
|  | :                      |
| v.                                     | :                      |
|  | :                      |
| TRUSTMARK INSURANCE COMPANY            | :                      |
|  | :                      |
| <i>Defendant.</i>                      | :                      |
|  | X 09 cv 9896 (BSJ-MHD) |
| TRUSTMARK INSURANCE COMPANY            | :                      |
|  | :                      |
| <i>Defendant, Counter-Plaintiff.</i>   | :                      |
|  | :                      |
| v.                                     | :                      |
|  | :                      |
| CLARENDON NATIONAL INSURANCE           | :                      |
| COMPANY and CLARENDON AMERICA          | :                      |
| INSURANCE COMPANY,                     | :                      |
|  | :                      |
| <i>Plaintiffs, Counter-Defendants.</i> | :                      |
|  | X                      |

**DECLARATION OF BRIAN J. NEFF, ESQ., IN SUPPORT OF  
TRUSTMARK'S MOTION TO DENY CLARENDON'S APRIL 12, 2011  
PROPOSED ORDER AND STRIKE THE COURT'S APRIL 8, 2011 ORDERS**

I, Brian J. Neff, Esq., make the following Declaration, pursuant to 28 U.S.C. § 1746:

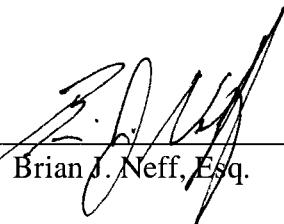
1. I am counsel to the law firm of Schiff Hardin LLP, counsel for Defendant, Counter-Plaintiff Trustmark Insurance Company ("Trustmark"). As such, I am familiar with the proceedings in this case. I submit this Declaration in support of Trustmark's Motion to Deny Clarendon's April 12, 2011 Proposed Order and Strike the Court's April 8, 2011 Orders.

2. Attached as Exhibit 1 is a true and correct copy of the transcript of the hearing conducted in this matter on April 8, 2011.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 14, 2011  
New York, New York

By:

  
\_\_\_\_\_  
Brian J. Neff, Esq.

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